IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE.

WRIT PETITION NO. 5592 OF 2002

Union of India
through GM Western Rly. & Ors ..... Petitioner.

versus

M.C. Baviskar ..... Respondents.

.....

Shri Sureshkumar for the petitioner.
Shri C.M. Jha for Respondents 1 and 2.

.....

CORAM ; V.G.PALSHIKAR &
MRS. RANJANA DESAI, JJ.

DATED; 16 AUGUST, 2004.

P.C.;

1. By this petition, the Union of India challenges the order passed by the Administrative Tribunal directing the inclusion of special pay in the emoluments of the original applicant for the purposes of computation and fixation of pension.

2. From the reading of the order of the Tribunal it is obvious that an error apparent on the face of the record has committed and the Rule 1303 of the Code is not fully considered. In view of this, we set aside the impugned order and remit the matter to the Tribunal for decision in accordance with the law.

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